

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

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State of California
The Resources Agency
Department of Fish and Game
WILDLIFE CONSERVATION BOARD

Minutes, November 13, 1997

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Minutes, November 13, 1997

Pursuant to the call of Chairperson Douglas McGeoghegan, the Wildlife Conservation Board met at the State Capitol, Room 113, Sacramento, California on November 13, 1997. The meeting was called to order at 10:30 a.m.. Introductions were made at this time.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Douglas McGeoghegan, Chairperson
President, Fish and Game Commission
Jacqueline Schafer, Member
Director, Department of Fish and Game

JOINT LEGISLATIVE INTERIM ADVISORY COMMITTEE

Assemblywoman Debra Bowen
Lawrence Lingbloom, Vice, Assemblywoman Debra Bowen

Absent: Craig Brown, Director, Department of Finance
Senator Pat Johnston
Senator Jack O'Connell
Senator Mike Thompson
Assemblyman Mike Machado

Mr. Schmidt then explained that items number 16 (Feather River Wildlife Area (O'Connor Lakes Unit, Exp. #3/Lake of the Woods Unit, Exp. #1, Sutter and Yuba Counties) and 17 (Wildlife Conservation Board Delegation of Authority to Staff) would be withdrawn from the Agenda.

Mr. McGeoghegan then introduced Carl Chavez, the Northern Division Chief of the Department of Parks and Recreation, who made a presentation to the Wildlife Conservation Board for the Board's participation in an acquisition of habitat for incorporation into the Bodie Bowl State Historical Park. In appreciation of the Board's participation, Mr. Chavez presented a photograph to the Wildlife Conservation Board. Mr. McGeoghegan accepted the photograph and after reading the inscription

on the photo, thanked Mr. Chavez for their recognition. Miss Jacqueline Schafer commented that she had visited the site and that it contained important deer and sage grouse habitat.

Staff present:

W. John Schmidt, Executive Director
Georgia Lipphardt, Assistant Executive Director
Jim Sarro, Assistant Executive Director
Scott Clemons, Riparian Program Manager
Marilyn Cundiff, Wetlands Program Manager
Peter Perrine, Field Agent
John Donnelly, Associate Land Agent
Frank Giordano, Senior Land Agent
Jerry Heminger, Senior Land Agent
Debra Townsend, Senior Land Agent
Jan Beeding, Office Technician
Maureen Rivera, Executive Secretary
Terri Muzik, Staff Services Analyst

Others Present:

Bud Thrapp, Department of Water Resources
Carl Chavez, Department of Parks & Recreation
Rick LeFlore, Department of Parks & Recreation
Richard Shinn, California Waterfowl Association
Bob Heald, University of California, Berkeley
Greg Lowther
Ron Pfahler, Lakeview Investment Co.
Hugh Hewitt
Don Koch, Department of Fish and Game
Carl Wilcox, Department of Fish and Game
Ron Remple, Department of Fish and Game
John Anderson, Department of Fish and Game
Corey Brown, Trust for Public Land
Dave Sutton, Trust for Public Land
Nick Vucinich, Office of Senator Jim Costa
Margaret Behan, California Conservation Corps.
Lannie Wood
Kristi Halstenrud, Office of Assemblyman Mike Machado

2. Funding Status as of November 13, 1997 (Informational)

(a) 1997-98 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisition	\$275,000.00
Less Previous Board Allocations	(2,750.00)
Unallocated Balance	\$272,250.00

Governor's Budget - Minor Projects	\$900,000.00
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(b) 1996-97 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisition	\$300,000.00
Less Previous Board Allocations	(6,000.00)
Unallocated Balance	\$294,000.00

Governor's Budget - Major Development	\$500,000.00
Less Previous Board Allocations	(500,000.00)
Unallocated Balance	\$0.00

(c) 1995-96 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisitions	\$390,000.00
Less Previous Board Allocations	(148,388.93)
Unallocated Balance	\$241,611.07

(d) 1988-89 California Wildlife, Coastal and Park Land Conservation Fund Capital Outlay Budget

Direct appropriation to the Wildlife Conservation Board	\$81,300,000.00
Less Previous Board Allocations	(75,249,971.32)
Less State Administrative Costs	(1,219,500.00)
Less Reverted Funds	(11,528,799.69)
Less amount made available for transfer to HCF	(3,061,000.00)
Plus Reappropriated Funds	11,528,799.69
Unallocated Balance	\$1,769,528.68

(e) 1988-89 California Wildlife, Coastal and Park Land Conservation Fund Capital Outlay Budget

1997-98 Governor's Budget	\$1,500,000.00
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(f) 1997-98 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget	\$16,598,000.00
Less Previous Board Allocations	(20,000.00)
Unallocated Balance	\$16,578,000.00

(g) 1996-97 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget	\$10,047,000.00
Less Previous Board Allocations	(6,503,191.84)
Unallocated Balance	\$3,543,808.16

(h) 1995-96 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget	\$7,354,000.00
Less Previous Board Allocations	(6,316,908.53)
Unallocated Balance	\$1,037,091.47

(i) 1997-98 Environmental License Plate Fund Capital Outlay Budget

Governor's Budget	\$341,000.00
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(j) 1997-98 River Parkway Sub-account, Safe, Clean, Reliable Water Supply Fund

Governor's Budget	\$8,300,000.00
Less Previous Board Allocations	(310,000.00)
Unallocated Balance	\$7,990,000.00

RECAP OF FUND BALANCES

<u>Wildlife Restoration Fund</u>	\$1,707,861.07
<u>CA Wildlife, Coastal & Park Land Conservation Fund of 1988</u>	\$3,269,528.68
<u>Habitat Conservation Fund</u>	\$21,158,899.63
<u>Environmental License Plate Fund</u>	\$341,000.00
<u>River Parkway Sub-account, Safe, Clean, Reliable Water Supply Fund</u> ...	\$7,990,000.00

3. 1997/98 Habitat Conservation Fund Transfers to Other Departments - Informational

This item was not included for consideration.

4. **PROPOSED CONSENT CALENDAR (Items 5 - 10)**

Mr. Schmidt reported that the Consent Calendar consisted of items 5 - 10 and absent any objection, recommended approval of the Consent Calendar.

IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD APPROVE CONSENT CALENDAR ITEMS 5 - 10 AS PROPOSED IN THE INDIVIDUAL AGENDA EXPLANATIONS, INCLUDING FUNDING AS NOTED THEREIN.

MOTION CARRIED.

*5. Approval of Minutes (CONSENT CALENDAR)

Approval of the minutes of August 14, 1997, meeting of the Wildlife Conservation Board was recommended.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE MINUTES OF THE WCB MEETING OF AUGUST 14, 1997 BE APPROVED AS WRITTEN.

MOTION CARRIED.

*6. Recovery of Funds (CONSENT CALENDAR)

The following projects, previously authorized by the Board, have balances of funds that can be recovered and returned to their respective funds. It was recommended that the following totals be recovered and that the projects be closed.

\$ 5,745.76 to the Wildlife Restoration Fund,

\$ 3,696.26 to the CA Wildlife, Coastal and Parkland Fund of 1988

\$ 2,951.00 to the Inland Wetland Conservation Fund

Wildlife Restoration Fund

Finnon Lake Fishing Access, El Dorado Co.

Allocation	\$ 7,000.00
Expended	-3,336.00
Balance for Recovery	\$ 3,664.00

Greenhorn Reservoir Fishing Access, Siskiyou Co.

Allocation	\$ 37,618.00
Expended	<u>- 35,536.24</u>
Balance for Recovery	\$ 2,081.76

TOTAL WILDLIFE RESTORATION FUND RECOVERIES \$5,745.76

CA Wildlife, Coastal and Parkland Fund of 1988

Napa Marsh Wildlife Area, Steamboat Slough, Exp. #4, Sonoma Co.

Allocation	\$ 212,057.00
Expended	<u>-208,360.74</u>
Balance for Recovery	\$ 3,696.26

**TOTAL CA WILDLIFE, COASTAL AND PARKLAND FUND OF 1988
RECOVERIES \$3,696.26**

Inland Wetland Conservation Fund

BEE-ESS Properties Wetland Enhancement, Merced Co

Allocation	\$23,051.00
Expended	<u>-20,100.00</u>
Balance for Recovery	\$ 2,951.00

TOTAL INLAND WETLAND CONSERVATION FUND RECOVERIES \$ 2,951.00

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD RECOVER FUNDS FOR THE PROJECTS LISTED ON PAGES 5 AND 6 OF THESE MINUTES AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS INCLUDE \$5,745.76 TO THE WILDLIFE RESTORATION FUND, \$3,696.26 TO THE CALIFORNIA WILDLIFE, COASTAL AND PARKLAND FUND OF 1988 AND \$2,951.00 TO THE INLAND WETLAND CONSERVATION FUND.

MOTION CARRIED.

***7. Bear River Fishing Access, Placer County \$120.00**

This proposal was to enter into a new Operating Agreement with the County of Placer to continue their operation and maintenance of the Bear River Fishing Access area, located on the Bear River, near Colfax. This project site, which was acquired pursuant to Board action in 1967, is located on both sides of the Bear River, in Placer and Nevada counties, and includes four and one-half miles of river frontage. In 1968, Placer County took over operation of the Placer County portion and subsequently developed day use and camping facilities with their own funds. It has become a very popular fishing and camping area with 60,000 annual visitor use days reported in 1995 (the latest use figures available). The current Operating Agreement expires on January 1, 1998 and the County has agreed to enter into a new twenty (20) year agreement to continue their operation and maintenance of the Placer County portion of the access area which now includes a parking area, trails, chemical toilets, minor access roads and camping and day use facilities. The Department of Fish and Game supports the agreement with Placer County.

Staff recommended the Board approve the amendment as proposed; allocate \$120.00 from the Wildlife Restoration Fund to cover the costs of General Services review; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFER THAT THE BOARD APPROVE THE NEW BEAR RIVER FISHING ACCESS AGREEMENT AS PROPOSED; ALLOCATE \$120.00 FROM THE WILDLIFE RESTORATION FUND TO COVER THE COSTS OF GENERAL SERVICES REVIEW; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

***8. Nimbus Shoals Public Access, Sacramento County \$120.00**

This proposal was to amend the existing Cooperative Agreement with the Department of Parks and Recreation (DPR) to allow for an extension of the agreement and for the construction of additional facilities. On February 7, 1979, the Board approved an allocation of \$35,000.00 for the purpose of providing for public access to the American River immediately downstream from Nimbus Dam. Pursuant to this action, the area was improved with an access road, gravel parking area, guard rails and sanitary facilities.

This stretch of the American River is an extremely popular fishing area for shad, striped bass, steelhead and salmon. Currently, the DPR manages the access area as part of the Folsom Lake State Recreation Area. They now propose to modify the area, at their cost, by adding a bike path, trail and wheelchair access, and have agreed to extend the existing Cooperative

Agreement to continue managing the site. These improvements are intended to provide for better management of the area and decrease vandalism, litter and public health concerns which are currently being experienced.

The Department of Fish and Game supports this proposal. The DPR has completed the necessary CEQA documentation for the construction of the additional facilities.

Staff recommended the Board approve the amendment as proposed; allocate \$120.00 from the Wildlife Restoration Fund to cover the costs of General Services review; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFER THAT THE BOARD APPROVE THE AMENDMENT TO THE NIMBUS SHOALS PUBLIC ACCESS AGREEMENT AS PROPOSED; ALLOCATE \$120.00 FROM THE WILDLIFE RESTORATION FUND TO COVER THE COSTS OF GENERAL SERVICES REVIEW; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*9. Rubicon River Wild Trout Habitat Area Transfer \$-0-
Placer and El Dorado Counties

This proposal was to consider the transfer of 1,454± acres of Department of Fish and Game (DFG) controlled land to the Regents of the University of California (Regents) for inclusion in the Blodgett Forest Management Area. This unimproved property, located in very steep terrain along the Rubicon River, is located in both Placer and El Dorado counties, near Georgetown. Access, though difficult, can be achieved by unimproved roads and trails through the adjacent Blodgett Forest property.

The property was purchased pursuant to two separate Board actions in 1980 to help protect a wild trout fishery in the Rubicon River (watershed protection). However, due to inappropriate public use of the area, and the difficulty of managing the property by the DFG, it was determined that it would be better managed by another public agency with holdings in the area. DFG investigated the possible transfer of the property to either the Regents or the Georgetown District of the El Dorado National Forest.

Ultimately, the DFG and the Regents reached an agreement for transfer and have entered into a Memorandum of Understanding (MOU) for the Regents' acceptance and management of the property. Management requirements are to keep the property open for public use, protect the watershed, improve the access and closely monitor the property to control unauthorized public use of the area.

Because of the property's remote location and its difficult access, its primary monetary value lies in the timber contained thereon. An appraisal was made of the timber value and the value of those public use improvements that the Regents would construct as agreed to in the MOU. It was determined that the net value of the timber is \$453,120.00, while the expenditure required to improve the property with access roads, appropriate gates and some habitat restoration is estimated at \$468,701.00; \$15,581.00 more than the timber value. Both values have been reviewed and approved by the Department of General Services. This proposed transfer, which was approved by the Fish and Game Commission at its March 7, 1997 meeting, is intended to be made at no cost to either party to this transfer.

Staff recommended that the Board approve this transfer at no cost as proposed herein and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD APPROVE THE TRANSFER OF 1,454± ACRES ALONG THE RUBICON RIVER, AT NO COST, AS PROPOSED HEREIN AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*10. Noyes Valley Wildlife Area, Expansion #5, Siskiyou County \$5,000.00

The Board, at its November 9, 1995 meeting discussed the phased donation of two conservation easements proposed by the owners of the subject property as an expansion of the Noyes Valley Wildlife Area. At that time, the Board approved the acceptance of the first phase, the transfer of which was subsequently completed by staff. This proposal was to consider a donation of the second phase, a conservation easement covering up to 5667± acres. The wildlife area is located in Siskiyou County, just east of Scott Valley, approximately 16 miles southeast of Etna and 47 miles southwesterly of Yreka.

On November 26, 1985, the Board actually authorized the first acquisition at the Noyes Valley Wildlife Area when it accepted a 664± acre donated conservation easement from Ed and Anita Merlo. Not counting the subject proposed donation, the Merlo family has now donated conservation easements on 6,623± acres of their land in Noyes Valley, with an estimated market value of \$710,720.00. The estimated market value of this proposed donation is \$709,725.00, which, if approved, would bring the estimated donation value from the Merlo family to \$1,420,445.00.

In addition, in 1986, the Board authorized the purchase of a 2,247± acre conservation easement from the Merlo family, valued at \$163,730.00. Therefore, to date, the total area of the Noyes Valley Wildlife Area is 9,050± acres. The conservation easement being considered would bring the total number of acres of habitat protected to 14,727± acres.

The Noyes Valley Wildlife Area is located in an area where larger ranches are being subdivided into small parcels (40 to 160 acres) for use as rural or mountain ranchettes. Such a division could certainly lead to eventual development which will, according to the Department of Fish and Game, have a detrimental effect on critical deer winter range for the Klamath Deer Herd as well as the overall integrity of the existing wildlife area. If a conservation easement is placed on the property, future building will be prohibited.

The property is presently used for cattle grazing in the mountainous portions and farming in the valley area. Under terms of the easement, it will continue to be used for these purposes, or for other agricultural or forest related uses that will not adversely affect fish and wildlife habitat values. The Department of Fish and Game has therefore recommended acceptance of this conservation easement.

Management of this area will be assumed by the Department of Fish and Game. However, this would be limited to occasional inspections and monitoring to ensure compliance with the terms of the easement. It is proposed that the property be left in its existing condition with some minor habitat improvements possibly to occur in the future. The easement does not include the right of public access over the property, but does give the Department the right of access for management purposes, including the right to improve habitat.

It is estimated that the State's costs related to processing this conservation easement will be \$5,000.00, which includes title insurance and Department of General Services review charges. This proposal falls within Class 13 of Categorical Exemptions for CEQA requirements and a Notice of Exemption has been filed. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes.

Staff recommended that the Board approve the acceptance of this conservation easement as proposed; allocate \$5,000.00 from the Habitat Conservation Fund (P-117), Section 2786 (a), to cover project related expenses; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFER THAT THE BOARD APPROVE THE ACCEPTANCE OF A 5,677± ACRE CONSERVATION EASEMENT AT THE NOYES VALLEY WILDLIFE AREA AS PROPOSED; ALLOCATE \$5,000.00 FROM THE HABITAT CONSERVATION FUND (P-117), SECTION 2786 (A), TO COVER PROJECT RELATED EXPENSES; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Schmidt noted that one of the voting members of the Board was missing today so that meant that only two members of the Board would be voting.

11. Bakersfield-Kern River Parkway, Kern County \$500,000.00

Mr. Schmidt reported that this proposal was to consider the allocation of \$500,000.00 for a grant to the City of Bakersfield to assist in its acquisition of real property located in the Kern River Parkway project area. The parkway currently extends 12± miles along the Kern River, beginning west of the Stockdale Highway Bridge then easterly to Manor Street. When complete, the entire project will run for approximately 25 miles, from the mouth of the Kern River canyon to Interstate 5 on the west side of the San Joaquin Valley. Funding for this proposal was specifically appropriated in the 1997/98 State budget (Prop. 204), as a parkway project. Ms. Debra Townsend then explained the project in more detail.

The Parkway serves four primary purposes: 1) flood control and water conservation; 2) preservation and restoration of native riparian habitats; 3) open space greenbelts and recreation; and 4) an active, on-going public participation community project. Since 1988, the community, local business and industry and government agencies have worked cooperatively to implement the Kern River Parkway Plan which now features riparian habitat restoration areas, open space greenbelts, a bike path, an equestrian trail, parking and staging areas, day-use parks and an environmental studies area.

During the initial term of the Parkway project, more than \$2 million for property acquisitions and site improvements was raised through a variety of public grants, private donations and in-kind services from local participants. This proposed grant will allow the completion of the initial phase of the Kern River Parkway. Should additional funds become available to the City, other urgently needed actions would include funding for development of additional riparian areas, expansion of bike paths, equestrian and recreation facilities and funding of environmental documentation of additional phases of the project.

Currently, a majority of the acreage is owned by the City, County or other public agencies. However, a few key parcels are owned by private parties and will need to be acquired before the Kern River Parkway and trail system can be fully completed. The City's first priority will be to purchase, on a willing-seller basis, the few remaining parcels of land still in private ownership. The Board's proposed grant, if approved, will provide a pool of funds which will be available to the City for a period ending June 30, 2000, which it can use toward the purchase of more properties.

The terms and conditions of the proposed grant provide that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into an escrow or escrows. The terms also require that the purchased lands be utilized for habitat preservation and restoration, wildlife-oriented education and research and compatible public uses. The proposed issuance of an acquisition grant is exempt from CEQA, under Class 13 of Categorical Exemptions, as an acquisition of land for wildlife conservation purposes.

Mr. Schmidt noted Senator Jim Costa had written a letter of support on this project and that he was the one that carried the measure (Prop. 204) that provided funding for this project. He had also worked to get the specific \$500,000.00 in the WCB budget for this project.

Staff recommended that the Board approve the issuance of a grant to the City of Bakersfield to be used to facilitate the acquisition of real property for the Kern River Parkway, in Kern County, as proposed; allocate \$500,000.00 from the River Parkway Subaccount of the Safe, Clean Reliable Water Supply Fund (Prop. 204); and authorize staff to proceed substantially as planned.

IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD APPROVE THE ISSUANCE OF A GRANT TO THE CITY OF BAKERSFIELD TO BE USED TO FACILITATE THE ACQUISITION OF REAL PROPERTY FOR THE KERN RIVER PARKWAY, IN KERN COUNTY, AS PROPOSED; ALLOCATE \$500,000.00 FROM THE RIVER PARKWAY SUBACCOUNT OF THE SAFE, CLEAN RELIABLE WATER SUPPLY FUND (PROP. 204); AND AUTHORIZE STAFF TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

12. San Jacinto Wildlife Area, Expansion #8, Riverside County \$2,320,000.00

Mr. Schmidt reported that this proposal was to consider authorizing the exercise of an option to acquire 220± acres of vacant land as a further expansion of the Department of Fish and Game's San Jacinto Wildlife Area and to authorize acceptance of a Caltrans Environmental Enhancement and Mitigation Program grant in the amount of \$200,000.00 for use toward the acquisition cost. Funding in the amount of \$2,000,000.00 was specifically appropriated for this project in the 1997/98 State budget (Prop. 204). Ms. Debra Townsend then provided more details on the project.

The San Jacinto Wildlife Area is located in the San Jacinto Valley of Southern California, approximately 18 miles southwest of downtown Riverside and just north of the community of Lakeview, in western Riverside County. The western boundary of the 5,712± acre wildlife area is contiguous with the 8,300± acre Lake Perris State Recreation Area. To the northwest is the City of Moreno Valley, whose current authorized sphere of influence wraps around the northern and northeastern borders of the wildlife area.

Originally, the Trust for Public Land (TPL) acquired an option to purchase a 921± acre parcel, known as Mystic Lake, which is located on the easterly side of the wildlife area. Pursuant to the terms of the option, it could be exercised in up to seven phases over a 42 month period. The Board, at its November 9, 1995 and November 5, 1996 meetings, authorized staff to acquire 175± acres as the first and second phases of this project. These purchases have now been completed, but TPL's option has also lapsed. Staff has negotiated another option with the owner, and the proposal before the Board in this item would provide

for acquisition of the first phase under the State's option and would trigger an extension of the option for at least one more year in which to purchase the remainder of the 921± acre Mystic Lake property.

It is anticipated that the remaining phases of the 921± acre optioned area will be acquired through grants and mitigations from numerous sources. When completed, the Mystic Lake acquisition will place approximately two-thirds of the old San Jacinto Lake bed in public ownership. The lowlands comprise an historic sump of the San Jacinto River, which in the past formed an extensive freshwater wetland at this location. An early attempt at flood water diversion has largely deteriorated, and at the present time substantial flood flows often break out of the diversion and enter the historic lake bed. Placement of this area in public ownership will facilitate restoration of the historic flows back into the lake bed for wetland restoration.

According to the Natural Heritage Division of the Department of Fish and Game, the entire 921± acre site meets the Significant Natural Areas criteria due to the presence of Stephens' kangaroo rat, and two plant species, the Wright's trichocoronis and Coulter's goldfields. In addition, the site provides excellent habitat for a large variety of more common wetland species, especially birds and migratory waterfowl.

The San Jacinto Wildlife Area and adjoining lands support 38 species of amphibians and reptiles. The high number is attributable to its location at the northern end of the Peninsular range, which allows both coastal and desert flora and fauna to contribute to the area's biodiversity. Twenty-two overwintering raptor species, including six species of owls, are known to utilize the San Jacinto Valley. The valley consistently ranks in the top one or two percent in species diversity for the North American Christmas bird counts. Five species listed as federal or state endangered have been recorded at the San Jacinto Wildlife Area. These include the Stephens' kangaroo rat, which as noted earlier, is a resident mammal, bald eagle, which is a regular winter visitor, peregrine falcon, brown pelican and Swainson's hawk, all of which have been rare visitors at the wildlife area.

Until recently, western Riverside County, as part of the Inland Empire of Southern California, has been one of the most rapidly urbanizing areas in California. It is anticipated that this trend will resume over the long term. This particular property would be developed, probably to some form of recreational use such as a campground or golf course, if not acquired.

The Department of Fish and Game has recommended the purchase of the entire 921± acres, including the 220± acre subject area, which would be incorporated into and managed in conjunction with the existing wildlife area. It is anticipated that the area will offer both nonconsumptive and consumptive recreational uses, as the habitat is maintained and developed in conjunction with the wildlife area. There are no claims of sovereign State land ownership within the property since the area is within a former Spanish land grant. The proposal is exempt from CEQA as an acquisition for wildlife conservation purposes.

This subject 220± acre property has an approved fair market value of \$2,300,000.00. In addition, it is anticipated that an additional \$20,000.00 will be required to cover the acquisition costs including survey costs, escrow, title insurance and Department of General Services' review costs.

The owner has agreed to convey this phase to the State for the fair market value and the option provides incentives, by way of donation of land value to the State, in the event of early exercise by the State of its option to purchase the remainder.

Caltrans staff review and preliminary screening of the EEMP grant indicates that it will likely be approved, but not soon enough to allow for close of escrow within the agreed time frame under the option. The owner has agreed to allow for a close of escrow as to \$2,100,000.00 by December 15, 1997 (the closing date under the option) and the payment of the remaining \$200,000.00 by January 30, 1998, the expected date of availability of the EEMP funds. If the EEMP funds do not become available as anticipated, the remaining \$200,000.00 would be deposited to escrow from the funds allocated by the Board in this proposal. If the EEMP funds do become available as expected, the Board's \$200,000.00 "surplus" allocation would be recovered at the next available Board meeting.

Mr. McGeoghegan initiated a discussion about how some of the water supply comes to this wildlife area. Mr. Schmidt explained that much of the water is treated water supplied as a result of an agreed with the Eastern Water District. He further noted that Mr. John Anderson of the Department of Fish and Game was in the audience and that he may be able to address the water issue more fully. Mr. Anderson explained that treated water from Eastern could be used on lands above the flood plain, but not on the subject acquisition as it is located in the flood plain.

Mr. Schmidt noted that letters of support had been received on this project from the California Waterfowl Association, the Endangered Habitat League and the Friends of the Northern San Jacinto Valley. He also noted a letter of concern had been written by an adjacent landowner. Mr. Schmidt noted that the landowner, Mr. Ron Pfahler, along with two of his representatives, Mr. Greg Lowther and Mr. Hugh Hewitt, were in the audience. Mr. McGeoghegan asked if they would like to comment on this project and they declined.

Staff recommended the Board approve the exercise of the option to acquire the subject 220± acres; authorize acceptance of the \$200,000.00 EEMP grant for the purchase; allocate \$2,000,000.00 from the River Parkway Subaccount (Prop. 204), \$40,533.11 from the California Wildlife, Coastal and ParkLand Conservation Fund (Prop. 70) Section 5907 (c)(1)(B), and \$279,466.89 from the Habitat Conservation Fund Section 2786 (d) to cover the purchase price and costs; and authorize staff to proceed substantially as planned.

Miss Schafer asked Mr. Anderson if management of the area was anticipated in the management plan that had been drafted for the San Jacinto area. Mr. Anderson indicated that

currently the management plan did not specifically include this property but could be easily amended.

IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD APPROVE THE EXERCISE OF THE OPTION TO ACQUIRE THE 220± ACRES AS AN EXPANSION OF THE SAN JACINTO WILDLIFE AREA AS PROPOSED; AUTHORIZE ACCEPTANCE OF THE \$200,000.00 EEMP GRANT FOR THE PURCHASE; ALLOCATE \$2,000,000.00 FROM THE RIVER PARKWAY SUBACCOUNT (PROP. 204), \$40,533.11 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARKLAND CONSERVATION FUND (PROP. 70) SECTION 5907 (C)(1)(B), AND \$279,466.89 FROM THE HABITAT CONSERVATION FUND SECTION 2786 (D) TO COVER THE PURCHASE PRICE AND COSTS; AND AUTHORIZE STAFF TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

13. Rancho Jamul Ecological Reserve, San Diego County \$1,065,000.00

Mr. Schmidt reported that this proposal was to consider the purchase of 2,275± acres of greatly varied and important habitat, and to authorize the acceptance of an additional 34.6± acres of habitat mitigation land at Rancho Jamul. The acquisitions would further implement the Department of Fish and Game's (DFG) Natural Community Conservation Planning (NCCP) efforts in the county as part of this multi-party, public and private cooperative venture. Mr. Jim Sarro then explained the project in more detail.

The Rancho Jamul ranch property, consisting of approximately 4,748 acres, is located in southwestern San Diego County, in the zone where the coastal plains grade into the foothill mountains. The property is traversed by Dulzura and Jamul Creeks, which flow down the watershed into Lower Otay Lake, and is bisected by Otay Lakes Road. The site has gently rolling hills and open valleys, and contains a diverse mixture of vegetative communities and habitat features. Elevation of the site ranges between 615 and 1,250 feet.

Primary access to the ranch is directly off State Highway 94, which borders the property along the northeastern boundary for approximately seven miles. However, this access leads to the separately parceled ranch headquarters and will not be included as part of this acquisition proposal. Secondary access is obtained from a road located north of the main gate, leading to the northern agriculture areas and Jamul Creek. Another entrance is found further south on Highway 94, just north of Dulzura Creek.

Acquisition of the Rancho Jamul property offers an opportunity to preserve and manage declining sensitive species and habitat in one of the largest blocks of contiguous land available in the County's Multiple Species Conservation Program (MSCP) open space planning area. Furthermore, the acquisition could provide valuable public recreation opportunities, including

hunting, hiking and nature study. Rancho Jamul is considered an important component of the MSCP preserve and the State's NCCP program for the area.

Seven major vegetation communities occur on the property, including coastal sage scrub (2,250± acres), with significant stands of transitional chaparral/coastal sage scrub (180± acres), chaparral (160± acres), grassland (465± acres), oak woodland (25± acres), riparian habitat (38± acres) and freshwater marsh (25± acres). Additionally, Rancho Jamul offers numerous opportunities for restoration, such as the 190± acres of disturbed riparian habitat and the 830± acres of idle agricultural land that is already recovering to grassland.

Aside from Rancho Jamul's extensive coastal sage scrub community, there are significant acres of other biological communities supporting sensitive species. For example, marsh/riparian habitat appears to be suitable for southwestern pond turtles, a state species of special concern, and Jamul and Dulzura creeks are likely suitable for reintroduction of the federally-endangered arroyo toad. The riparian drainages also harbor suitable willow scrub habitat for least Bell's vireo. In fact, downstream, 1996 surveys documented the existence of 22 pairs of this state and federally listed endangered specie. These pairs could serve as a core population to repopulate any future restoration/enhancement of riparian habitat. California ground squirrels were observed in the recovering grassland areas, indicating suitable cover and prey base for burrowing owls and other raptors. Burrowing owl habitat could also be enhanced by the construction of artificial burrows.

The acquisition of Ranch Jamul would produce several benefits beyond preserving and protecting sensitive plant and animal species and wide swaths of contiguous sensitive habitat. First, the purchase is consistent with the MSCP and Subarea Plan. Secondly, it would commit an identified, centralized core area to the proposed preserve in perpetuity, and would enhance surrounding conserved lands through linkages and corridors. Finally, the purchase of Rancho Jamul would make an effective demonstration of the State of California's commitment to the progressive open space planning techniques developed through the Multiple Species Conservation Program.

Through lengthy negotiations between the landowner, Wells Fargo Bank and the Trust for Public Land (TPL), the property was acquired by TPL for transfer to public agencies as available funding would permit. The property is zoned for the potential of 8-acre lots. While the threat of such development is not immediate, the action by TPL assured that the property would not be acquired for speculation in the very strong San Diego County market.

The property has been appraised with an overall approved fair-market value of \$11,000,000.00 (\$2,317.00 per acre). It has been offered to the NCCP/MSCP participating agencies in phases over two fiscal years for a total of \$7,900,000.00 (\$1,664.00 per acre). If the property can be acquired on an accelerated schedule, this would reduce TPL's holding costs and would result in a corresponding reduction in the public's purchase price.

In this proposed phase, the U.S. Fish and Wildlife Service (FWS) would provide \$2,750,000.00, conditioned on a State match of a minimum of one-third (\$915,750.00). Staff recommends increasing the State match to \$1,050,000.00 to round out this phase at 2,275 acres for a total purchase price of \$3,800,000.00. It is estimated that \$15,000.00 will be required to cover all costs of sale, General Services' review, title insurance and escrow expenses. Title to the property would vest in the State, subject only to federal conditions that the property be operated and managed by the State in accordance with NCCP and MSCP goals. DFG concurs in the conditions and will assume management responsibility for the property accordingly.

In a related transaction, a separate 34.6± acre parcel within the ranch has been identified as a site for transfer to the public in satisfaction of mitigation requirements of a nearby Cal Mat project. TPL anticipates concluding an agreement with Cal Mat in the near future that will enable TPL to transfer the site to the State at no additional cost to the State. Staff recommends the Board also authorize acceptance of this 34.6± acres on behalf of the State when it become available for transfer.

The proposed actions are categorically exempt from CEQA as acquisitions of land for wildlife habitat conservation purposes and the appropriate Notice of Exemption is on file. Funding is available for this acquisition from the Habitat Conservation Fund as specifically designated in the Budget Act for NCCP acquisitions.

Mr. Schmidt explained that another part of this project was to accept a mitigation parcel of 34.6 acres. He also reported that letters of support on this project had been received from the Endangered Habitat League, Buena Vista Audubon Society, Preserve Wild Santee, Backcountry Coalition, Planning and Conservation League, the National Audubon Society, Backcountry Land Trust, The Nature Conservancy and Senator Kelley.

Staff recommended the Board authorize the purchase of the 2,275± acre property as described above and acceptance of the 34.6± acre mitigation site; allocate \$1,065,000.00 from the Habitat Conservation Fund (designated NCCP funds) to cover the purchase price and associated acquisition costs of the property; and authorize staff and the Department to proceed substantially as planned.

Miss Schafer asked Mr. Schmidt about the relationship between the fact that this project was a line item in one of the trailer budget bills this year and the transaction currently before the Board. Mr. Schmidt explained that the bill (AB1571), which provides \$600,000.00 was passed after the agenda was prepared but that it was for exactly the same project and would be used for a future phase. He also indicated that Mr. Ron Rempel of the Department of Fish and Game was in the audience if there were any questions for him.

Miss Schafer and Mr. Rempel had a discussion regarding the management of the property and funding for management. Mr. Rempel indicated that they were working with a private conservation bank, along with TPL in the creek restoration and funds from that project would

be put into a trust account by TPL to help pay for the overall management of the property. He further stated that CalTrans would provide funding in exchange for passing lanes and future mitigation credits. Mr. Rempel indicated that it was anticipated there would be adequate funding for management from endowments from other programs. Mr. McGeoghegan clarified that the funds from the endowments would be dedicated for this project. Miss Schafer asked about Federal participation in the long term management of the property. Mr. Rempel indicated there would not be Federal involvement but other factors may lower costs.

IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD AUTHORIZE THE PURCHASE OF THE 2,275± ACRE RANCHO JAMUL PROPERTY, AS DESCRIBED IN THE AGENDA, AND ACCEPTANCE OF THE 34.6± ACRE MITIGATION SITE; ALLOCATE \$1,065,000.00 FROM THE HABITAT CONSERVATION FUND (DESIGNATED NCCP FUNDS) TO COVER THE PURCHASE PRICE AND ASSOCIATED ACQUISITION COSTS OF THE PROPERTY; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

14. Bair Island Ecological Reserve, San Mateo County \$1,110,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of 176.5± acres of abandoned salt ponds, situated east of Highway 101 in Redwood City on the west side of San Francisco Bay. Bair Island totals 3,000 acres comprised of three islands: outer, middle and inner. The Peninsula Open Space Trust (POST) recently entered into an agreement with the private landowners to purchase a 1,626± acre portion of the island. The 176.5± acre area covered in this proposal is a portion of the 1,626± acre property purchased by POST, the remainder of which will be acquired by the U.S. Fish and Wildlife Service (USFWS) for inclusion in the San Francisco Bay National Wildlife Refuge. This transaction leaves about 400 acres of the island under the private ownership of two other parties. The 176.5± acre acquisition will adjoin a 1,000± acre ownership currently held by Department of Fish and Game (DFG) known as the Bair Island Ecological Reserve. Mr. Jerry Heminger explained the project.

When California was admitted to the Union in 1850, the San Francisco Bay was surrounded by approximately 860 square miles of marshes and hundreds of square miles of mud flats which provided excellent habitat for waterfowl, shore birds and many other wildlife species. Over the years, various human activities have caused major changes in the Bay. Loss and degradation of freshwater wetlands, salt marshes, mudflats and other bay habitats have negatively impacted fish and wildlife using the Bay. Residential and commercial development have also had a significant impact on the area. As urbanization continues, associated services and facilities such as transportation routes, utilities and solid waste and wastewater disposal facilities continue to impact the Bay's wetland values. As a result, there is a critical need to

preserve and restore wetlands as possible to maintain the overall viability of this important environment.

Bair Island is the largest remaining restorable wetland area in the south San Francisco Bay. According to the Salt Marsh Harvest Mouse and Clapper Rail Recovery Plan, Bair Island must be restored in order to prevent extinction of these two species. Some restoration has occurred as the DFG property on Outer Bair Island has revegetated naturally after tidal action resumed. Thus, we know that Bair Island can be restored by breaching the levees and allowing the marsh to do what comes naturally. Both the salt marsh harvest mouse and the California clapper rail have been documented to use the restored areas.

The San Francisco Bay region, with its vast wetland environment, has been designated by the DFG as an "Area of Special Biological Importance". Five endangered species use Bair Island's habitats, including the California clapper rail, the salt marsh harvest mouse, the California least tern, peregrine falcon, and the California brown pelican. The San Francisco Bay tidal marshes are the only places in the world where the California clapper rail and salt marsh harvest mouse are found. Least terns historically nested on Bair Island, and habitat restoration may entice them to return. Peregrine falcons and California brown pelicans feed on Bair Island. The area also provides varied habitat for many plant species that support wintering and migratory waterfowl, as well as shorebirds and mammals. In diked marsh areas, Great and snowy egrets, great blue herons, black-necked stilts, American avocets, numerous species of sandpipers and other shorebirds prey on invertebrates in the shallow water and exposed mudflats. Shorebirds rest in the vegetation when other Bay mudflats are covered by the tides.

It is anticipated that there will be a number of positive results from public ownership and management of Bair Island:

1. Permanent protection and restoration of the island will offer vital isolation to vulnerable, ground-nesting birds, particularly the endangered California clapper rail. Protected from any urban predators, rare and endangered species will again have an opportunity to flourish.
2. The majority of Bair Island is currently diked and provides only limited wetland functions. Restoration of the site will re-establish significant amounts of estuarine intertidal emergent wetlands as well as mudflats and open water habitats.
3. Expanded recreational opportunities, such as fishing and boating, will become possible and passive public use, such as jogging and bicycling, would likely also be compatible on certain parts of the island.
4. Prevention of new pollution, traffic congestion and climatic impact that would have occurred with development should also be a long-term benefit to wildlife and to human inhabitants of the South Bay Area.

The landowners (POST) have agreed to sell the 176.5± acre portion of their 1,626± acre parcel to the State of California for the State-approved fair market value of \$6,500.00 per acre or \$1,100,000.00. It is estimated that an allocation of \$10,000.00 will be required to cover the costs of escrow, title insurance, Department of General Services' review and related acquisition expenses. Estimated costs of restoration are not yet available.

It is anticipated that management of the DFG property would be undertaken by the U.S. Fish and Wildlife Service (USFWS) in accordance with a management agreement between USFWS and DFG.

POST acquired the entire 1,626± acres (including the subject 176.5± acre parcel) for a total of \$15,000,000.00. A breakdown of the proposed funding participation is as follows:

Peninsula Open Space Trust (includes contribution from private parties and the National Fish and Wildlife Foundation)	\$3,900,000.00
Land and Water Conservation Fund (USFWS)	\$10,000,000.00
Wildlife Conservation Board	<u>\$1,100,000.00</u>
	\$15,000,000.00

The Wildlife Conservation Board (WCB) has also applied for a \$500,000.00 grant under the 1997 National Coastal Wetlands Conservation Grant. Should the grant application be successful, WCB's share would be reduced by the amount of the grant award, as a project reimbursement, the California Wildlife, Coastal and ParkLand Act of 1988 (Prop. 70) contained funds specifically for the acquisition of wetland habitat in the south San Francisco Bay. It is proposed that the balance of these funds be used toward this purchase.

Mr. Schmidt explained a few more details of the project as well as the funding. He noted that Carl Wilcox from the Department of Fish and Game was in the audience if there were any questions. He also noted that there were no letters of support nor any letters of opposition.

Staff therefore recommended that the Board approve this acquisition as proposed; allocate a total of \$1,106,259.84 from the California Wildlife, Coastal and ParkLand Fund/P-70, Section 5907 (c)(1)(A) and the \$3,740.16 from the Wildlife Restoration Fund; authorize the acceptance of the grant, if approved, and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Miss Schafer asked Mr. Wilcox about the Memorandum of Understanding with U.S. Fish and Wildlife Service regarding management of the existing Department of Fish and Game parcel. Mr. Wilcox explained that an MOU had recently been signed and that in the past it had been

cooperatively managed between DFG and USFWS. Miss Schafer then asked about funding for restoration and Mr. Wilcox explained he was not sure of the source of funding for restoration that was done in the past and that there were no funds for current restoration.

Mr. Wilcox, in response to a question from Miss Schafer, explained that access to the property was by boat and that there was waterfowl hunting during hunting season. Mr. Wilcox explained that as a result of these factors, not much activity occurred on the site.

Mr. McGeoghegan asked Mr. Wilcox whether this parcel was diked. Mr. Wilcox explained that the property is currently behind dikes and is contiguous to existing lands. He further stated that it posed no flooding threat to anyone if the dikes were breached. Mr. McGeoghegan asked if the plan was to allow the property to become intertidal. Mr. Wilcox explained that there was no allocation of money for restoration activities and that the focus of funding at the present time was to complete the purchase of the property. He did state that the MOU set out the future plans regarding management and restoration plans.

IT WAS MOVED BY MISS SCHAFFER THE BOARD APPROVE THE ACQUISITION OF 176.5± ACRES OF BAIR ISLAND PROPERTY, AS PROPOSED; ALLOCATE A TOTAL OF \$1,106,259.84 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARKLAND FUND/P-70, SECTION 5907 (C)(1)(A) AND THE \$3,740.16 FROM THE WILDLIFE RESTORATION FUND; AUTHORIZE THE ACCEPTANCE OF THE GRANT, IF APPROVED, AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

15. Wetland Enhancement, Shasta, Siskiyou and Modoc Counties \$49,775.00

Mr. Schmidt reported that this proposal was to consider an allocation for three separate grants to the California Waterfowl Association (CWA) for partnership projects to enhance nearly 1200 acres of seasonal wetlands and farmland for breeding and migrating waterfowl and other wetland dependent species. The partners in this proposal include the CWA, the landowners, the Natural Resources Conservation Service (NRCS), the Department of Fish and Game (DFG) and the Wildlife Conservation Board. All three projects are located on private land in northeast California. Following is a detailed description of each of the individual proposals. Mr. Peter Perrine explained the project.

A. Fall River Valley Enhancement (Bar-D-Bar Ranch).

The Fall River Valley wetlands project is located approximately four miles northeast of the City of McArthur, in Shasta County. Ash Creek Wildlife Area lies approximately 20 miles east of the subject property.

This proposal will enhance approximately 140 acres of seasonal wetlands.

The principle purpose of the project is to provide nesting and brood habitat for waterfowl, sandhill cranes, and other water dependent bird species. Currently, the entire area floods during wetter than normal years, often leaving no suitable dry land for nesting. In drier years, the area does not have sufficient standing water during the breeding season to support waterfowl broods. The project will create nesting/loafing islands by excavating ten circles of soil and depositing the material in mounds in the centers of the circles. During wetter than normal years, these mounds will provide high spots on which water dependent bird species can nest, or loaf. During dry years, water will be diverted from a spring on the property to maintain water levels in the moats surrounding the nesting/loafing mounds. If vegetation becomes too tall and thick, the landowner will disc or mow up to 50% of the area each year, in random patterns to maintain habitat diversity. Cattle may be used in the future to maintain habitat diversity, if and when a site specific grazing plan is prepared by the NRCS in consultation with the landowner, the U.S. Fish and Wildlife Service (FWS) and the DFG. Cost estimates for this portion of the overall proposal, which have been reviewed and approved by staff, are as follows:

<u>Description</u>	<u>Cost Estimate</u>
Fencing, (with 4 gates)	
10,560 ft @ \$1.65/ft	\$17,424.00
One 24" diameter 36" Riser	600.00
Construct 10 Islands	
@ \$300 each	3,000.00
Project Design and	
Construction Supervision	<u>4,300.00</u>
Total	<u>\$25,324.00</u>
(Fall River Valley Wetland Enhancement)	

B. Butte Valley Wetland Enhancement (Can Living Trust).

The Butte Valley wetlands project is located approximately four miles south of the City of Dorris and ten miles northeast of the Butte Valley Wildlife Area, in Siskiyou County. The project site lies immediately adjacent to the Cedar Point Unit of a 200 acre undesignated property owned by the DFG. The project will enhance approximately 650

acres of seasonal wetlands, portions of which had been farmed for alfalfa and grain.

The overall purpose of this project is to enhance seasonal wetlands on the property by constructing 3300 linear feet of new levees and reconstructing 6300 linear feet of existing levees. Material for the new levees will be excavated from surrounding wetlands and retired farmland to create swales. Water levels in the area will be maintained to create an additional 40 acres of brood habitat for waterfowl and other wetland dependent species. Supplemental water will be provided from an existing well to maintain water through the beginning of September of each year.

The site will be managed to provide brood habitat and to enhance seasonal wetlands for food production for many water dependent species. In addition, on the higher elevations of the property to the east and south, optimum goose and crane foraging habitat will be maintained through cattle grazing. Cattle may also be used in other parts of the site in the future to maintain habitat diversity. All cattle grazing will follow a site specific grazing plan prepared by the NRCS in consultation with the landowner, FWS and the Department.

Tail water from the wetland enhancement on this property will flow into the DFG's Cedar Unit, adding wildlife value to it. Cost estimates for this portion of this proposal have been reviewed and approved by staff as follows:

<u>Description</u>	<u>Cost Estimate</u>
Levee Construction:	
8052 cu yd @ \$1.50/cu yd	\$12,078.00
Reconstructed Levee:	
17,640 cu yd @ \$1.50/cu yd	26,460.00
Two Water Control Structures:	1,000.00
Levee Base Preparation:	
Burning/Discing	2,000.00
Seed and Seeding (in-kind)	1,000.00
Reinstall four 18" Water Control Structures (in-kind)	2,000.00
Earthmoving:	
5139 cu yd @ \$1.50/cu yd (in-kind)	7,708.00
Project Design and Construction Supervision	4,424.00
Total	<u>\$56,670.00</u>
(Butte Valley Wetland Enhancement)	

C. Pilot Butte Wetlands Enhancement (River Ranch).

The Pilot Butte wetlands project is located approximately two miles east of the town of Lookout, and lies adjacent to the Ash Creek Wildlife Area, in Modoc County. The project will enhance approximately 399 acres of former flooded pasture and lands previously leveed for wild rice production.

The primary purpose of this project is to trap spring runoff to maintain wildlife habitat on the site in the spring and early summer, especially during wetter than average years. This will provide improved brood habitat during those wet years. Specifically, seven berms will be built across existing swales. These swales will be deepened to provide water in the late spring and early summer, which is the critical time for breeding water birds. Fences will be constructed to exclude cattle until a site specific grazing plan is developed. The grazing plan will be written by the NRCS, with input from the landowner, FWS and the DFG. Cost estimates for the portion of the project have been reviewed and approved by staff as follows:

<u>Description</u>	<u>Cost Estimate</u>
Fence: 9240 ft (with gates)	
@ \$1.65/ft	\$15,246.00
Levee Construction 700 cu yd	
@ \$1.50/cu yd	1,050.00
18 inch Water Control Structures:	
7 @ \$400 each	2,800.00
Seed and Seeding:	
100 acres @ \$80/acre	8,000.00
Pipeline for Livestock Water:	
2000 ft @ \$2.00/ft	4,000.00
Two Livestock Watering Troughs	
@ \$500 each	1,000.00
Project Design and	
Construction Supervision	<u>4,260.00</u>
Total	<u>\$36,356.00</u>
(Pilot Butte Wetland Enhancement)	

TOTAL FOR ALL THREE PROJECTS:

\$118,350.00

PROPOSED FUNDING BREAKDOWN:

Wildlife Conservation Board	\$49,775.00
Natural Resources Conservation Service	57,867.00
Landowner -- Can Living Trust (in-kind)	<u>10,708.00</u>

TOTAL AVAILABLE FUNDING: **\$118,350.00**

In addition, the landowners of all three projects have agreed to manage and maintain the property for twenty five years, pursuant to the terms and conditions of the habitat management plan. If at any time during the life of the project, the landowners are unable to manage and maintain the projects, they will refund to the State of California an amortized amount of funding provided per grant agreement.

The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. This project is exempt from CEQA under Section 15305, as it is a minor alteration to land that will restore and enhance wildlife habitat.

Mr. Schmidt explained the funding for the project and noted that Don Koch from the Department of Fish and Game was in the audience to answer any questions.

Mr. McGeoghegan asked about the existence of other projects that involved management agreements with the landowners. Mr. Schmidt explained that there were a number of projects, such as this one, in the valley. A discussion between Mr. McGeoghegan and Mr. Schmidt regarding the continuity and reversion clauses in the management agreements was held.

Miss Schafer asked Mr. Koch whether these projects were unique to his region. He replied that these were the first of their type in the region.

Mr. McGeoghegan then asked about the reversion aspects and recapture of project costs in the event of sale by the landowner. Mr. Schmidt explained the process and how the wording is set out in the documents. Mr. McGeoghegan requested a copy of the documents be sent to him so that he could see the wording used. Ms. Marilyn Cundiff from the Wildlife Conservation Board explained that the cost is amortized over a period of 25 years. She further explained the basic rights of the parties under the agreement. Mr. McGeoghegan asked a few more questions and clarified a couple of points. Miss Schafer asked whether the landowner was required to notify the Department of Fish and Game of potential sale of the property. Mr. Schmidt explained that the landowner was not required to notify DFG of a potential sale but that the project would be monitored by either the Department of Fish and Game or Wildlife Conservation Board. Mr. McGeoghegan and Mr. Schmidt then discussed the nature of this type of agreement and the benefits and burdens on the parties.

Staff recommended that the Board approve this project as proposed; allocate \$49,775.00 from the Habitat Conservation Fund /P.117 (Section 2786(d) wetlands); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MISS SCHAFER THAT THE BOARD APPROVE THE GRANT TO THE CALIFORNIA WATERFOWL ASSOCIATION FOR THE THREE WETLAND ENHANCEMENT PROJECTS, AS PROPOSED; ALLOCATE \$49,775.00 FROM THE HABITAT CONSERVATION FUND /P.117 (SECTION 2786(D) WETLANDS); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

16. Feather River Wildlife Area (O'Connor Lakes Unit, Exp. #3/ Lake of the Woods Unit, Exp. #1), Sutter and Yuba Cos. \$397,000.00

This proposal was to consider two separate acquisitions totalling 143± acres of riparian forest and upland habitat as additions to the Feather River Wildlife Area located in Sutter and Yuba Counties.

This item was withdrawn from Board consideration.

17. Wildlife Conservation Board Delegation of Authority to Staff

This proposal was to consider the delegation to the Executive Director of the Wildlife Conservation Board (WCB) authority granted under the Wildlife Conservation Law of 1947, the Inland Wetlands Conservation Program (IWCP) and the California Riparian Habitat Conservation Program (CRHCP) for the granting of less than fee interests in Department of Fish and Game (DFG) and WCB controlled lands.

This item was withdrawn from Board consideration.

18. Sale of Department of Fish and Game Property Information Only
Sutter, Modoc and Lassen Counties

Mr. Schmidt explained that this item was an informational item, and then briefly described each of the transactions.

Pursuant to previous Wildlife Conservation Board authorization, staff has now completed the sale of three parcels of land, acquired with the express intent of a later disposal after meeting certain conditions. In authorizing these disposals, which were each recommended by the

Department of Fish and Game, the Board also requested staff to report the disposal details to them at a future Board meeting. All of the sales prices described herein fall within the minimum sales price as approved by the Department of General Services. Details of these three disposals are as follows:

Gilsizer Slough Wetlands, Sutter County

This 264± acre parcel was acquired pursuant to Board action on August 25, 1992, with the full intent of enhancing the property's wetland and riparian values under the Inland Wetland Conservation Program and then selling it, subject to the state retaining a conservation easement to protect its habitat values in perpetuity.

After completion of the restoration, the property was offered for sale on two occasions, via the sealed bid process. As no acceptable bids were received on either occasion, staff negotiated a sale, subject to a conservation easement, which also placed specific management conditions on the buyer. Included in these conditions are requirements for specific crop types that are wildlife friendly and flooding requirement to enhance waterfowl use.

This ten year term sale was completed on June 27, 1997. The original purchase price for this property was \$620,000.00 (\$2,348 per acre). The property was subsequently sold for \$348,500 (\$1,320 per acre). This amount reflects an amount of 44% of the purchase price, allowing for a reduction for the conservation easement and the specific management conditions imposed on the buyer.

Ash Creek (Big Valley) Wildlife Area Expansion #3,
Lassen/Modoc Counties

On November 9, 1995, the Board authorized the acquisition of 739± acres adjacent to the Ash Creek Wildlife Area for protection of high quality riparian and wet meadows lying on both sides of Ash Creek and to secure water rights to improve the management and development potential of the entire wildlife area. As part of this approval, the Board also approved the disposal of 440± acres of the area being approved for purchase which contains lesser habitat values, but had to be acquired as part of the complete purchase. In addition, the Board also approved the disposal of approximately 229 acres of the existing wildlife area, portions that also contain marginal habitat and are located on the periphery of the wildlife area.

After two attempts at a public bid sale, staff has now been successful in disposing of a total of 155.7± acres of this area; 92± acres through the bid process and 63.7 ± acres ultimately through a negotiated sale. The sale of a third parcel is pending. Sale details are as follows:

Parcel #1

The cash sale of this 92± acres was completed on August 15, 1997. This parcel was acquired for \$82,800.00 (\$900 /acre) and ultimately sold for \$51,000.00 (\$555/acre) via public bid. The sale price reflects a reduction in value for the retention of all water rights by the state.

Parcel #2

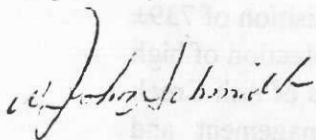
The cash sale of this 63.7± acres was completed on June 9, 1997. This parcel was acquired for \$57,330 (\$900/acre) and ultimately sold for \$27,100.00 (\$425/acre) via a negotiated sale. Once again, the sales price reflects a deduction in value for the retention of all water rights by the state, as well as the procurement, from the buyer, of an access easement to adjacent land locked wildlife area lands.

19. Mr. Schmidt introduced Maureen Rivera, the new Executive Secretary.

Mr. McGeoghegan asked if there were any questions from the Legislative Advisory members present. There were none. Miss Schafer asked the date of the next meeting and Mr. Schmidt gave the date as February 26, 1998.

There being no further business, Mr. McGeoghegan adjourned the meeting at 11:26 a.m.

Respectfully submitted:



W. John Schmidt
Executive Director

PROGRAM STATEMENT

At the close of the meeting on November 13, 1997, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$391,928,891.62. This total includes funds reimbursed by the Federal Government under the Accelerated Public Works Program completed in 1966, the Land and Water Conservation Fund Program, the Anadromous Fish Act Program, the Pittman-Robertson Program, and the Estuarine Sanctuary Program.

The statement includes projects completed under the 1964 State Beach, Park, Recreational and Historical Facilities Bond Act, the 1970 Recreation and Fish and Wildlife Enhancement Bond Fund, the Bagley Conservation Fund, the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974, the General Fund, the Energy Resources Fund, the Environmental License Plate Fund, the State, Urban and Coastal Park Bond Act of 1976, the 1984 Parklands Bond Act, the 1984 Fish and Wildlife Habitat Enhancement Bond Act, the California Wildlife Coastal and Park Land Conservation Act of 1988, Cigarette and Tobacco Products Surtax Fund of 1988, California Wildlife Protection Act of 1990 and the Wildlife Restoration Fund.

A. Fish Hatchery and Stocking Projects	\$ 16,006,219.06
B. Fish Habitat Preservation, Development & Improvement	20,882,152.93
1. Reservoir Construction or Improvement	\$ 3,063,613.05
2. Stream Clearance and Improvement	14,700,451.69
3. Stream Flow Maintenance Dams	547,719.86
4. Marine Habitat	646,619.07
5. Fish Screens, Ladders and Weir Projects	1,923,749.26
C. Fishing Access Projects	36,692,711.39
1. Coastal and Bay	\$ 2,994,288.92
2. River and Aqueduct Access	8,967,957.52
3. Lake and Reservoir Access	6,850,624.69
4. Piers	17,879,840.26
D. Game Farm Projects	146,894.49
E. Wildlife Habitat Acq., Development & Improvement	305,974,223.47
1. Wildlife Areas (General)	\$176,833,536.29
2. Miscellaneous Wildlife Habitat Dev.	4,671,341.76
3. Wildlife Areas/Eco Reserves, (Threatened, Endangered or Unique Habitat)	117,499,140.49
4. Land Conservation Area	7,705.00
5. Inland Wetlands Conser. Grants & Easements	3,255,574.50
6. Riparian Habitat Conser. Grants & Easements	2,074,025.43
7. Other Wildlife Habitat Grants	1,632,900.00
F. Hunting Access Projects	484,898.57
G. Miscellaneous Projects (including leases)	10,228,879.29
H. Special Project Allocations	616,464.79
I. Miscellaneous Public Access Projects	862,615.63
1. State Owned	\$757,615.63
2. Grants	\$105,000.00
J. Sales and/or exchanges	<u>33,832.00</u>

Total Allocated to Projects \$391,928,891.62